

## UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Jessica Gessele, et al  
V.  
Jack In The Box

## EXHIBIT AND WITNESS LIST

Case Number: 3:14-cv-01092-HZ

PRESIDING JUDGE					PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEY
Marco A. Hernandez					Jon Egan & Jim Vogele	Parker, Symes, Maher & St. Clair
TRIAL DATE (S)					COURT REPORTER	COURTROOM DEPUTY
10/17/2022 - 10/24/2022					Kellie Humiston & Ryan White	Jennifer Paget
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
		10/17/2022			Plaintiff opening statement (12:43-1:09) Defense opening (1:09-1:35)	
X					Sylvia De Chandt video deposition designation (1:37 - 1:41, 2:18 - 2:20 )	
X					Barbara Klysek video deposition designation (1:41 - 1:45)	
X					Donna Basham video deposition designation (1:45 - 1:46, 2:11 - 2:18)	
X					Gene James video deposition designation (1:46 - 2:11; 2:20 - 2:23; 2:29 - 2:32)	
X					Wendy Sanderlin video deposition designation (2:23 - 2:27)	
X					Raymond Pepper video deposition designation (2:27 - 2:29)	
X					Susan Pettyjohn video deposition designation (2:32 - 2:40; 3:00 - 3:03)	
X					Jeffrey Tennant video deposition designation (3:03 - 3:08)	
X					Jessica Gessele (D: 3:09 - 3:23; C: 3:23 - 3:49; RD: 3:49 - 3:50)	
1			X	X	One pair Shoes for Crews® Freestyle shoes —Physical exhibit—	
2			X	X	One pair Shoes for Crews® Crewguard™ overshoes —Physical exhibit—	
X					Ashley Ortiz (D: 3:51 - 3:55; C: 3:55 - 4:22; rd: 4:22 - 4:23)	
	511		X	X	Fall 2009 Shoes for Crews Catalog. JITB 103368-103387	
X					Tricia Tetrault (D: 4:23 - 4:29; C: 4:29 - 4:40)	
X					Nicole Gessele (D: 4:41 - 4:46; C: 4:46 - 4:58)	
X	10/18/2022				Jennifer Murphy 104 hearing [outside the presence of the jury] (D: 8:40 - 9:28, C: 9:28 - 10:17; RD: 10:17 - 10:18)	
X					Sylvia De Chandt video deposition designation (10:34 - 10:36; 10:53 - 10:58)	
X					Jeff Tennant video deposition designation (10:36 - 10:49)	
X					Donna Basham video deposition designation (10:49 - 10:53)	
X					Dianne Evans video deposition designation (10:58 - 11:03)	
X					Shelly Rohlfs video deposition designation (11:03 - 11:10)	

\* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

**EXHIBIT AND WITNESS LIST – CONTINUATION**

Gessele vs. Jack In The Box					CASE NO. 3:14-cv-01092-HZ
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
X		10/18/2022			Chrsitina Peacock (via video) (D: 11:10 - 11:20; C: 11:20 - 11:39; RD: 11:39 - 11:42)
X		10/19/2022			Jennifer Murphy (D: 9:03 - 9:53; C: 9:53 - 10:33; 10-46-10:53; RD: 10:53 - 10:55)
	532		X	X	Sequel Programming codes
	531		X	X	Statutory damages spreadsheet
31			X	X	Summary document: showing unpaid breaks of plaintiffs (i.e., more than 20 but less than 30 minutes)
					10:55 Plaintiff's rest
					Defendant JMOL motion 10:56 - 11:10; Plaintiff Response: 11:10 - 11:18 - Court ruling
	X	10/20/2022			Susan Pettijohn (D: 9:26 - 9:59; C: 9:59 - 10:06)
	501		X	X	November 1, 2007 Corporate Policy: Rest Periods and Meal Periods. JITB 100215-100217
	502		X	X	October 2007 Uniform, Appearance and Grooming. JITB 100293-100298
	513		X	X	July 19, 2005 Crew On-Boarding Re Shoes. JITB 102812
	511		X	X	Fall 2009 Shoes for Crews Catalog. JITB 103368-103387
	510		X	X	Shoes For Crews Order Form. JITB 106961-106962
32			X	X	On Duty Meal Policy agreements
	X				Jeffrey Tenant (D: 10:08 - 10:48; 11:04 - 11:13; C: 11:13 - 11:17; RD: 11:17 - 11:18)
	501		X	X	November 1, 2007 Corporate Policy: Rest Periods and Meal Periods. JITB 100215-100217
	502		X	X	October 2007 Uniform, Appearance and Grooming. JITB 100293-100298
32			X	X	On Duty Meal Policy agreements
	X				Donna Basham deposition via a reader (11:19 - 11:29)
	X				Gene James (D: 1:00 - 1:45; C: 1:45 - 1:53)
	506		X	X	Jack's New Safety Program (Undated)
	507		X	X	January 2003 Safety Program Rollout
	511		X	X	Fall 2009 Shoes for Crews Catalog. JITB 103368-103387
	1		X	X	One pair Shoes for Crews® Freestyle shoes —Physical exhibit—
	2		X	X	One pair Shoes for Crews® Crewguard™ overshoes —Physical exhibit—
	X				Sylvia De Chandt deposition via a reader (1:53 - 2:02)
	X				Dianne Evans deposition via a reader (2:02 - 2:04)

## **EXHIBIT AND WITNESS LIST – CONTINUATION**

Plaintiff:

10/21/22

United States District Court  
 Exhibits Log: 3:14-CV-01092-HZ  
 Gessele, et al v. Jack In the Box, 10/17/2022

Pla-1: Shoes (physical exhibit) &amp; Pla-2: CrewGuard (physical exhibit)

&gt;returned to Pff 10/24/22

EXHIBIT	DESCRIPTION
Pla-5	Shoes for Crews catalog
Pla-6	Safety Program
Pla-11	Looking Good CBT Script 71905
Pla-12	Looking Good CBT Script 62011
Pla-13	Looking Good CBT Script 2504
Pla-20	Workers Benefit Fund correspondence with State of Oregon
Pla-21	Oregon DCBS WBF Assessment Guide
Pla-22-A	Emil Czechowski expert report (final stipulated redacted version)
Pla-25	Uniform Policy 21705
Pla-26	Uniform Policy 1007
Pla-28	Uniform Policy 61708
Pla-29	Time records for plaintiffs
Pla-30	Pay records for plaintiffs
Pla-31	Summary of plaintiffs unpaid breaks
Pla-32	On-Duty Meal Policy agreements
Pla-35	Shoes for Crews subpoena response
Pla-36	Keuka subpoena response
Pla-37	Precision Testing Laboratories subpoena response
Pla-38	Precision Testing Laboratories results
Pla-39	Summary of franchise transfer dates
Def-501	Break policy
Def-502	Uniform policy
Def-503	SFC order form
Def-504	SFC order form - color
Def-505	SFC catalog
Def-506	Safety program
Def-507	Safety rollout
Def-508	Pltfs shoe purchases
Def-509	SFC invoices
Def-510	Payroll deduction form
Def-511	Shoe that grips - color
Def-512	Shoe that grips - bw
Def-513	On-boarding slips and falls 2005
Def-514	On-boarding slips and falls 2011
Def-515	J Gessele promotion
Def-531	Statutory damages spreadsheet
Def-532	Sequel programming codes

Defendant:

10/21/22

United States District Court  
 Exhibits Log: 3:14-CV-01092-HZ  
 Gessele, et al v. Jack In the Box, 10/17/2022

## Pla-1: Shoes (physical exhibit) &amp; Pla-2: CrewGuard (physical exhibit)

EXHIBIT	DESCRIPTION
Pla-5	Shoes for Crews catalog
Pla-6	Safety Program
Pla-11	Looking Good CBT Script 71905
Pla-12	Looking Good CBT Script 62011
Pla-13	Looking Good CBT Script 2504
Pla-20	Workers Benefit Fund correspondence with State of Oregon
Pla-21	Oregon DCBS WBF Assessment Guide
Pla-22-A	Emil Czechowski expert report (final stipulated redacted version)
Pla-25	Uniform Policy 21705
Pla-26	Uniform Policy 1007
Pla-28	Uniform Policy 61708
Pla-29	Time records for plaintiffs
Pla-30	Pay records for plaintiffs
Pla-31	Summary of plaintiffs unpaid breaks
Pla-32	On-Duty Meal Policy agreements
Pla-35	Shoes for Crews subpoena response
Pla-36	Keuka subpoena response
Pla-37	Precision Testing Laboratories subpoena response
Pla-38	Precision Testing Laboratories results
Pla-39	Summary of franchise transfer dates
Def-501	Break policy
Def-502	Uniform policy
Def-503	SFC order form
Def-504	SFC order form - color
Def-505	SFC catalog
Def-506	Safety program
Def-507	Safety rollout
Def-508	Pltfs shoe purchases
Def-509	SFC Invvoices
Def-510	Payroll deduction form
Def-511	Shoe that grips - color
Def-512	Shoe that grips - bw
Def-513	On-boarding slips and falls 2005
Def-514	On-boarding slips and falls 2011
Def-515	J Gessele promotion
Def-531	Statutory damages spreadsheet
Def-532	Sequel programming codes